

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEVEN WAYNE BENDER,
Petitioner

v.

JAMES WYNDER; Superintendent;
the DISTRICT ATTORNEY FOR THE
COUNTY OF FAYETTE; and the
ATTORNEY GENERAL FOR THE
COMMONWEALTH OF PENNSYLVANIA,
Respondents

Civil Action No.:
05-998 (Habeas Corpus)

Chief Judge Donetta W.
Ambrose/Magistrate Judge
Lisa Pupo Lenihan

FILED

APR 18 2006

CLERK U.S. DISTRICT COURT
WESTERN DIST. OF PENNSYLVANIA

ORDER

Upon this Court's consideration of Petitioner's "Motion
for Reconsideration of Priority of Civil Action under 28 U.S.C.
§ 1657"

IT IS HEREBY ORDERED that the motion is ~~GRANTED~~ **DENIED**

IT IS FURTHER ORDERED that the parties are allowed ten
(10) day from this date to appeal this order to a district judge
pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates.
Failure to appeal within ten (10) days may constitute waiver
of the right to appeal.

DATE: 4-20-06


Lisa Pupo Lenihan
United States Magistrate Judge

cc: Steven Wayne Bender
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